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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/747,040	12/22/2000	Christoph T. Corvin	GEMS:0123/yod 15-EC-5764	4691
7590	03/21/2005		EXAMINER	
Patrick S. Yoder Fletcher, Yoder & Van Someren P.O. Box 692289 Houston, TX 77269-2289			FELTEN, DANIEL S	
			ART UNIT	PAPER NUMBER
			3624	

DATE MAILED: 03/21/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/747,040

Applicant(s)

CORVIN, CHRISTOPH T.

Examiner

Daniel S Felten

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 19 April 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-9, 11-19, 21-37, 39-43 and 45-60 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-9, 11-19, 21-37, 39-43 and 45-60 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Arguments

1. In view of the statements made in the Response filed on April 19, 2004, PROSECUTION IS HEREBY REOPENED. Finality of the February 13, 2004 Office Action is withdrawn. A new Office Action is set forth below.

To avoid abandonment of the application, appellant must exercise one of the following two options:

- (1) file a reply under 37 CFR 1.111 (if this Office action is non-final) or a reply under 37 CFR 1.113 (if this Office action is final); or,
- (2) request reinstatement of the appeal.

If reinstatement of the appeal is requested, such request must be accompanied by a supplemental appeal brief, but no new amendments, affidavits (37 CFR 1.130, 1.131 or 1.132) or other evidence are permitted. See 37 CFR 1.193(b)(2).

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-9, 11-19, 21-37, 39-43 and 45-60 are rejected under 35 U.S.C. 103(a) as being unpatentable over McCormack, J., "A Worldwide Network of Supplies"; Health Data Management, p. 54-60 (July 1999) (hereinafter "McCormack"); Kalbhen, J., "Buying On The

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Web: A Site-Seers Guide”, Materials Management in Health Care, Vol. 8, No. 7, p 16-20 (July 1999) (herein after Kalbhen) and Hartley- Urquhart (US 6,167, 385).

Hartley-Urquhart discloses, as in claims 1, 17, 40, a method and system for supply chain financing which involves analyzing transactions for resources in a facility (buyer-210) (see col. 3, ll. 16+),

Providing access to financial analysis system (230) for a resource supplier via a network (240) (see col. 4, ll. 29+),

interface including a form (Purchase Order—PO)for entering client data for resources (see col. 4, ll. 36+),

receiving the client data from the network interface via the network (see col. 4 , ll. 36+),

analyzing the client data in the financial analysis system (see col. 3, ll. 16+);

providing a plurality of financial transaction options tailored to the client data (see PO, col. 6 , ll. 29-37; col. 8, ll. 50+); and transmitting the plurality of financial transaction options to a client via the network (see col. 8 ,ll. 50+),

McCormack discloses receiving client trade data for a purchasing transaction for medical resources. It would have been obvious for an artisan at the time of the invention to integrate the teachings of McCormack into Hartley-Urquhart because an artisan at the time of the invention would have recognized the growing trend in medical supply chain management along with the notoriously old and well known high costs associated with the supply chain and have sought

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provide a system that would provide affordable, efficient and flexible financing for goods and services.

On the other hand it would have been obvious for an artisan at the time of the invention to have employed the use medical supply equipment websites mentioned by McCormack and Kalbhen (see medibuy, neoforma, et al.,) because an artisan at the time of the invention would have recognized such items have goods that are supplied by suppliers to medical facilities within a supply management configuration that would require supply chain financing with various purchasing options. Thus to employ any of the supply chain medical supply websites disclosed in McCormack and Kalbhen within the invention of Hartley-Urquhart would be what one would expect within the limitations of electronic supply chain management of goods and services. Thus to provide financing for medical supplies using the combination of the teachings of McCormack, Kalbhen and Hartley-Urquhart would be considered unpatentable being within the expectations of one of ordinary skill in the art.

Conclusion

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

US Patents:

Bahlmann (US6,578,074) discloses provisioning server enhancement

Franks et al (US 6,751,630) discloses integrated Multiple biomedical information resources

Cusack et al (US6,493,724) discloses web-integrated inventory management system and method

Burks et al (US 5,644,778) discloses medical transaction system

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Wigzig (US 6,735,569) discloses a method and system for providing a user selected Health care services package

Ilsen et al (US 6,757,898) discloses electronic provider—patient interface system

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Daniel S Felten whose telephone number is (703) 305-0724. The examiner can normally be reached on Flex.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vincent Millin can be reached on (703) 308-1065. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



DSF
January 07, 2005

Daniel S Felten
Examiner
Art Unit 3624

VINCENT MILLIN
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3800

